



April 5, 2019

The Honorable Ron Wyden  
United States Senate  
221 Dirksen Senate Office Building  
Washington, DC 20510

Re: Response to Letter Dated March 13, 2019

Dear Senator Wyden:

This letter responds to your March 13, 2019 letter addressed to John Legere seeking information about T-Mobile's provision of location information to law enforcement and first responders, when requested during an emergency.

When T-Mobile receives an emergency request for location information from law enforcement or first responders, lives are often at stake. By definition, these requests are limited to extraordinary circumstances where time is of the essence, such as child abductions and other kidnappings, mental health emergencies such as suicide threats, and immediate threats of severe injury or death. They must therefore be handled carefully but also with urgency.

In short, carriers must act quickly to ensure that this life-saving information is delivered with minimal delay, and T-Mobile takes this obligation extremely seriously. To meet these obligations, T-Mobile employs a dedicated and highly-trained Law Enforcement Relations team. The Law Enforcement Relations team—which is available 24 hours, 7 days a week, and 365 days a year—works tirelessly to respond rapidly, and accurately, to such requests for emergency information. Seconds matter in processing these requests, as they relate to matters of life and death. If T-Mobile did not provide this information—and did not provide it swiftly—law enforcement and first responders would be seriously hampered in their ability to save lives, prevent serious injuries, and protect the public.

T-Mobile's responses to emergency requests for location information are distinct from our responses to requests for information pursuant to a subpoena, court order, or warrant. When T-Mobile provides emergency location information to government agencies, our practice is to do so only after we receive a written certification that an emergency exists. That certification must be sufficient to allow T-Mobile to form a good faith belief that there exists an emergency involving the danger of death or serious physical injury to a person requiring disclosure of the requested information without delay. *See* 18 U.S.C. § 2702(b)(8).

T-Mobile also provides emergency location information to a public safety answering point, emergency dispatcher, or other public safety entity when necessary to assist with the customer's call for emergency services, including to 9-1-1. *See* 47 U.S.C. § 222(d)(4)(A). When doing so, T-Mobile's practice is to verify the identity of the agency and the requestor before it releases any information.

T-Mobile takes very seriously its obligation to protect its customers' location information from unlawful release. The members of T-Mobile's Law Enforcement Relations team are highly trained and follow best practices to accurately and appropriately assist law enforcement when provided with a good faith basis to believe that an emergency exists.

Decisions about how to respond to such requests must be made in dynamic, fast-moving, and somewhat uncertain circumstances. In the rare circumstance in which a bad actor uses pretexting to improperly request and obtain location data (for example, by unlawfully impersonating law enforcement), T-Mobile takes swift and forceful action. It is T-Mobile's practice to promptly report breaches of Customer Proprietary Network Information ("CPNI") to the FBI and Secret Service through the FCC's Data Breach Portal, when required by law. In addition, where possible, T-Mobile works collaboratively and proactively with law enforcement to prosecute individuals who have impersonated law enforcement. T-Mobile also regularly evaluates its internal processes to mitigate the possibility of erroneous disclosures.

Sincerely,



Anthony Russo  
Vice President, Federal Legislative Affairs  
T-Mobile US, Inc.